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EXAMINER	
PILLAI, NAMITHA	

ART UNIT	PAPER NUMBER
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/855,968	MANN ET AL.	
	Examiner	Art Unit	
	Namitha Pillai	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 5/17/04.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-28 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-28 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-25 and 27 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Publication No. 2001/0020956 A1 (Moir).

Referring to claims 1 and 10, Moir discloses a method for composing a complex construct for use on a graphical display of a computerized device (page 1, paragraph 8). Moir discloses receiving a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1, paragraph 6), wherein these templates describe functional characteristics pertaining to the complex construct. Moir also discloses receiving a selection of at least one personality to assign to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir also discloses combining the selection of basic

constructor objects with the selection of at least one personality to form a first complex, construct and operating the first complex construct on the graphical display according to a first operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by the functional and graphical layout extensions to the basic constructor characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 2, paragraphs 30 and 39).

Referring to claims 2 and 12, Moir discloses receiving a modification to the selection of a personality assigned to at least one of the basic constructor objects in the first complex construct and in response to receiving the modification, transforming the first complex construct having the first operational state to a second complex construct having a second operational state (page 1, paragraphs 8 and 10).

Referring to claims 3 and 13, Moir discloses operating the first complex construct to receive input indicating that the first complex object is to transform itself into a second complex construct by substituting a view, defined by the at least one personality assigned to at least one of the basic constructor objects in the first complex construct, with a new view defined by the modification received to the selection of one of the at least one personality (page 3, paragraph 49, lines 7-12).

Referring to claims 4 and 14, Moir discloses receiving a selection of at least one personality includes the steps of receiving a selection of specific event handling functionality that is to be enabled for that personality in relation to a base constructor object to which that personality is assigned; and receiving a selection of specific view which that personality provides

to that basic constructor object when rendered on the graphical display of the computerized device (page 3, paragraph 49, lines 7-12).

Referring to claims 5 and 15, Moir discloses that each basic constructor object is an instantiation of a basic constructor class that defines the basic constructor characteristics which provide specific functionality including an event-handling framework dedicated to supplying methods and event handling processing associated with that basic constructor class (page 2, paragraphs 36-38).

Referring to claims 6 and 16, Moir discloses that the button object, when included in the complex construct, provides specific functionality to the complex construct to provide notification of a change to a selection state maintained by the button object upon receiving input (page 3, paragraph 51), the dial object, when included in the complex construct, provides specific functionality to the complex construct to provide a selection of a value from a range of possible values (page 3, paragraph 51) the edit object, when included in the complex construct, provides specific functionality to the complex construct to receive data for editing, to store the data and to provide access to the data (page 4, paragraph 72) and the container object, when included in the complex construct, provides at least one of a parenting functionality, a layout management functionality and an event interception functionality to the complex construct comprised of a combination of the basic constructor objects (page 4, paragraphs 74 and 88).

Referring to claims 7 and 17, Moir discloses that each basic constructor object has an associated set of applicable personalities, each applicable personality defining an extended set of event listeners that are specific to the basic constructor objects to which those personalities are applicable, and which extend the event management functionality provided by the basic

constructor characteristics of the basic constructor type from which that basic constructor object is instantiated (page 4, paragraphs 74 and 88).

Referring to claims 8 and 18, Moir discloses that each applicable personality for a basic constructor object further defines a stock view for the basic constructor object when rendered on the graphical display of the computerized device (page 4, paragraph 74).

Referring to claims 9 and 19, Moir discloses that the complex construct is a scroll bar including two basic button constructor objects combine with respective scroll bar button personalities, a basic dial constructor object combined with a respective scroll bar dial personality, and a basic container constructor object combined with a respective scroll bar container personality (page 4, paragraph 72).

Referring to claims 11 and 20-22, Moir discloses a computerized device comprising with an input output interface, a display, a memory system and a processor with an interconnection mechanism coupling the input output interface, the display, the memory system and the processor (Figure 3). Moir also discloses wherein the memory system is encoded with a constructor application that when performed on the processor, produces a constructor process that causes the computer system to compose a complex construct for use on the display of the computerized device (page 6, paragraph 1 14, lines 1- 10). Moir also discloses performing the operations of receiving, via the input output interface, a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1,

paragraph 6). Moir also discloses receiving, via the input output interface, a selection of at least one personality to assign to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to the basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir discloses the selection of basic constructor objects with the selection of at least one personality to form a combining, in the memory system, first complex construct (page 3, paragraph 49, lines 7-10). Moir discloses operating the first complex construct on the display according to a first operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by functional and graphical layout characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 3, paragraph 49, lines 7-12).

Referring to claim 23, Moir discloses a method for transforming complex constructs for use in a graphical interface environment (page 1, paragraph 8). Moir also discloses defining a first complex construct to include at least one of a basic dial constructor object; a basic edit constructor object; a basic button constructor object; and a basic container constructor object (page 2, paragraph 29 and page 1, paragraph 6). Moir also discloses combining with at least one personality, each of the basic constructor objects defining respective basic constructor functional characteristics, each of the at least one personality defining functional and graphical layout extensions to the basic constructor characteristics of a respective one of the basic constructor objects (page 2, paragraphs 35-38). Moir also discloses receiving a modification to the at least

one personality and transforming the first complex construct to a second complex construct according to the modification to the at least one personality (page 3, paragraph 49, lines 7-12).

Referring to claim 24, Moir discloses receiving a modification to the at least one personality receive the modification in real time from an application that includes the first complex construct such that the first complex construct is transformed by the step of transforming in real-time to produce the second complex construct (page 7, paragraphs 129 and 130).

Referring to claim 25, Moir discloses a method for composing a complex construct for use on a graphical display of a computerized device (page 1, paragraph 8). Moir discloses receiving a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1, paragraph 6), wherein these templates describe functional characteristics pertaining to the complex construct. Moir also discloses receiving a selection of at least one personality to assign to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir also discloses combining the selection of basic constructor objects with the selection of at least one personality to form a first complex, construct and operating the first complex construct on the graphical display according to a first

operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by the functional and graphical layout extensions to the basic constructor characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 2, paragraphs 30 and 39). Moir discloses that the first complex construct is further operated to receive input indicating that the first complex object is to transform itself into a second complex construct by substituting a view, defined by the at least one personality assigned to at least one of the basic constructor objects in the first complex construct, with a new view defined by the modification received to the selection of one of the at least one personality (page 4, paragraph 72).

Referring to claim 27, Moir discloses a computerized device comprising with an input output interface, a display, a memory system and a processor with an interconnection mechanism coupling the input output interface, the display, the memory system and the processor (Figure 3). Moir also discloses wherein the memory system is encoded with a constructor application that when performed on the processor, produces a constructor process that causes the computer system to compose a complex construct for use on the display of the computerized device (page 6, paragraph 1 14, lines 1- 10). Moir also discloses performing the operations of receiving, via the input output interface, a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1, paragraph 6). Moir also discloses receiving, via the input output interface, a selection of at least one personality to assign

to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to the basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir discloses the selection of basic constructor objects with the selection of at least one personality to form a combining, in the memory system, first complex construct (page 3, paragraph 49, lines 7-10). Moir discloses operating the first complex construct on the display according to a first operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by functional and graphical layout characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 3, paragraph 49, lines 7-12). Moir discloses that the first complex construct is further operated to receive input indicating that the first complex object is to transform itself into a second complex construct by substituting a view, defined by the at least one personality assigned to at least one of the basic constructor objects in the first complex construct, with a new view defined by the modification received to the selection of one of the at least one personality (page 4, paragraph 72).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moir.

Referring to claim 26, Moir discloses a method for composing a complex construct for use on a graphical display of a computerized device (page 1, paragraph 8). Moir discloses receiving a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1, paragraph 6), wherein these templates describe functional characteristics pertaining to the complex construct. Moir also discloses receiving a selection of at least one personality to assign to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir also discloses combining the selection of basic constructor objects with the selection of at least one personality to form a first complex, construct and operating the first complex construct on the graphical display according to a first operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by the functional and graphical layout extensions to the basic constructor characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 2, paragraphs 30 and 39). Moir discloses a button object, when included in the complex construct, provides specific functionality to the complex construct to provide notification of a change to a selection state maintained by the button object upon receiving input, the edit object, when included in the

complex construct, provides specific functionality to the complex construct to receive data for editing, to store the data and to provide access to the data and the container object, when included in the complex construct, provides at least one of a parenting functionality; a layout management functionality and an event interception functionality to the complex construct comprised of a combination of the basic constructor objects (page 2, paragraph 30), wherein this button object could also represent a edit object as it does carry out editing steps and further as a container object, wherein a button is a container object. Moir does not clearly disclose the use of a dial object, wherein the dial object when included in the complex construct provides specific functionality to the complex construct to provide a selection of a value from a range of possible values. It would have been obvious for one skilled in the art at the time of the invention that the dial object when included in the complex construct provides specific functionality to the complex construct to provide a selection of a value from a range of possible values. Moir discloses that graphic objects serve as objects that when combined with certain parameters would render a customized object that can carry out its functions. The dial represents a user interface control that allows the user to select a value from a range, wherein Moir is clearly capable of customizing such a graphic object as it would represent a graphic object as that of a button or logo, and wherein the functionality of this dial would remain as is the case for all graphic objects customized in Moir. Hence, it would have been obvious for on skilled in the art, to disclose a teaching of including a dial wherein this dial would be able to carry out its basic functionalities of allowing a user to select from a range.

Referring to claim 28, Moir discloses a computerized device comprising with an input output interface, a display, a memory system and a processor with an interconnection mechanism

coupling the input output interface, the display, the memory system and the processor (Figure 3). Moir also discloses wherein the memory system is encoded with a constructor application that when performed on the processor, produces a constructor process that causes the computer system to compose a complex construct for use on the display of the computerized device (page 6, paragraph 1 14, lines 1- 10). Moir also discloses performing the operations of receiving, via the input output interface, a selection of basic constructor objects for use in the complex object (page 1, paragraph 6), the selection of basic constructor objects chosen from a set of basic constructor object types including a button object type, a dial object type, an edit object type, and a container object type, each of the basic constructor object types defining respective basic constructor functional characteristics (page 2, paragraph 29 and page 1, paragraph 6). Moir also discloses receiving, via the input output interface, a selection of at least one personality to assign to at least one of the basic constructor objects chosen from the selection of basic constructor object types, the selection of at least one personality chosen from a set of personality types that define functional and graphical layout extensions to the basic constructor characteristics associated with the basic constructor object types (page 2, paragraphs 35-38). Moir discloses the selection of basic constructor objects with the selection of at least one personality to form a combining, in the memory system, first complex construct (page 3, paragraph 49, lines 7-10). Moir discloses operating the first complex construct on the display according to a first operation state defined by the basic constructor functional characteristics associated with the basic constructor objects in the first complex construct and by functional and graphical layout characteristics defined by the selected at least one personality assigned to the basic constructor objects in the complex construct (page 3, paragraph 49, lines 7-12). Moir discloses a button

object, when included in the complex construct, provides specific functionality to the complex construct to provide notification of a change to a selection state maintained by the button object upon receiving input, the edit object, when included in the complex construct, provides specific functionality to the complex construct to receive data for editing, to store the data and to provide access to the data and the container object, when included in the complex construct, provides at least one of a parenting functionality; a layout management functionality and an event interception functionality to the complex construct comprised of a combination of the basic constructor objects (page 2, paragraph 30), wherein this button object could also represent a edit object as it does carry out editing steps and further as a container object, wherein a button is a container object. Moir does not clearly disclose the use of a dial object, wherein the dial object when included in the complex construct provides specific functionality to the complex construct to provide a selection of a value from a range of possible values. It would have been obvious for one skilled in the art at the time of the invention that the dial object when included in the complex construct provides specific functionality to the complex construct to provide a selection of a value from a range of possible values. Moir discloses that graphic objects serve as objects that when combined with certain parameters would render a customized object that can carry out its functions. The dial represents a user interface control that allows the user to select a value from a range, wherein Moir is clearly capable of customizing such a graphic object as it would represent a graphic object as that of a button or logo, and wherein the functionality of this dial would remain as is the case for all graphic objects customized in Moir. Hence, it would have been obvious for on skilled in the art, to disclose a teaching of including a dial wherein this dial would be able to carry out its basic functionalities of allowing a user to select from a range.

Response to Claim Changes

3. The Examiner acknowledges Applicant's amendments to claims 1, 9-11 and 19-23 and the addition of new claims 25-28. However all claims are still rejected under 35 U. S. C. 102 and 103 as being previously disclosed in prior art.

Response to Arguments

4. Applicant's arguments filed 5/17/04 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Moir shows only the selection of graphical template and thereby representing stand-alone item and does not disclose a composing a complex construct. A complex construct has been interpreted, as a complex object that has been customized based on is parameters. Applicant's claims do not refer to a unified component that is made of a set of objects, wherein only a complex construct is disclosed. This complex construct being represented as the graphical objects of Moir. Regardless of whether a template is selected, this template contains data that would represent the selection of a graphical object or construct that is to be customized by the user, wherein the user would choose the graphical object. The choice of the graphical object and its graphical parameters and the combination of these data items would render a customized complex construct. Applicant refers to a collection of objects within the arguments, this collection or unification of graphical objects is not explicitly stated in the independent claims. Moir discloses graphical objects and offers a library wherein a collection of objects would be represented. See page 2, paragraphs 35-39.

With respect to Applicant's arguments concerning the dependent claims, the rejections therein state that these features are disclosed in Moir.

With respect to Applicant's arguments that Moir's graphical templates do not include code, as seen in Figure 5, references are made to code that is found in the template.

With respect to Applicant's arguments that Moir does not disclose a dial object, an edit object or a container object. Moir discloses a general graphical object that can be represented as any of a button, dial, edit or container object. Hence as stated in the rejection above, it would have been obvious that these specific objects would be represented in Moir's invention for customizing the graphical objects, wherein buttons, dials, edit object and container objects can be presented as graphical objects. Furthermore, a button can be presented also as an edit object, as it carries out an edit function and a container object, as it is contained in a user interface.

With respect to Applicant's arguments that Moir does not disclose a forming a scroll bar based on separately personalized objects. The claims disclose combining a scroll object with personalized data but does not explicitly disclose that this scroll object is composed of separate graphical objects that are each in turn personalized and then combined to create the scroll object. The graphical objects of the present claims as interpreted present a set of individual graphical objects that may be represented as a collection but who are in turn customized based on its graphical parameters.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691 (before October 20, 2000) and (571) 272-4054 (after October 20, 2000). The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116 (before October 20, 2000) and (571) 272-4048 (after October 20, 2000).

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly

signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
September 30, 2004

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173